

1 **WAGANAKISING ODAWAK STATUTE**
2 **ETHICS FOR ALL LEVELS OF TRIBAL GOVERNMENT**
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5 **SECTION I. PURPOSE**
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7 The purpose of this statute is to set forth the adoption of the *Constitutionally Mandated Rules of*
8 *Conduct for All Levels of Tribal Government*, the process for adjudicating ethical complaints by
9 the various branches of government.
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12 **SECTION II. DEFINITIONS**
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14 **A.** “Branch of Government” means the Executive, Judicial and Legislative Branches of
15 government, including the Prosecutor and Election Board.
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17 **B.** “Employee” means any person employed or performs work for an employer, works under
18 contract of service, express or implied, whether temporary, full-time, Human Resources approved
19 volunteer or apprenticeship.
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21 **C.** “Official” means Tribal Councilor, Tribal Chair, Vice Chair, Judge or Justice, Prosecutor,
22 or Election Board member, within the Little Traverse Bay Bands of Odawa Indians Tribal
23 government for the purposes of this statute.
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25 **D.** “Rules of Conduct” means the *Constitutionally Mandated Rules of Conduct for All Levels*
26 *of Tribal Government*.
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28 **E.** “Tribe”, “Tribal” or “LTBB” means the Little Traverse Bay Bands of Odawa Indians.
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31 **SECTION III. CONSTITUTIONALLY MANDATED RULES OF CONDUCT**
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1 **A.** Tribal Council shall adopt *Constitutionally Mandated Rules of Conduct for All Levels of*
2 *Tribal Government*, in accordance with the Little Traverse Bay Bands of Odawa Indians Tribal
3 Constitution, Section Article VII, (D)(6), the Tribal Council shall have the power to: “*Adopt*
4 *rules of conduct to govern all levels of Tribal government*”. The purpose of Rules of Conduct is
5 to establish clear standards for the principles and expectations that are binding on Tribal Officials
6 and employees.

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8 **B.** Any branch of government or agency may establish their own Rules of Conduct provided
9 that they are as stringent as the *Constitutionally Mandated Rules of Conduct for All Levels of*
10 *Tribal Government*.

11 12 13 **SECTION IV. COMPLAINTS**

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15 **A.** Each Branch of Government shall develop its own policy and procedures to address
16 complaints by Tribal Citizens regarding Officials, Employees and any other sub-entity of that
17 Branch of Government (Executive Committees, Commissions and Boards; Tribally Chartered
18 Corporations). Such policies and procedures shall include, at a minimum, the following:

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20 1. Timeframes
21 2. Complaint requirements
22 3. Remedies
23 4. Burden of proof
24 5. Hearings

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26 **B.** All Policies and Procedures shall be submitted to Tribal Council for approval within one-
27 hundred and twenty (120) calendar days from the enactment of this Statute.

28 29 30 **SECTION V. SEVERABILITY**

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32 If any section, subsection, paragraph, sentence, phrase or portion of this Statute is, for

1 any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion
2 shall be deemed a separate, distinct and independent provision and such holding shall not affect
3 the validity of the remaining portions thereof.
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6 **SECTION VI. EFFECTIVE DATE**
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8 This Statute takes effect immediately upon its enactment. Enactment of this Statute shall
9 have no effect on the membership status of any tribal members enrolled by the Tribe under
10 previous legislation.
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12 **CERTIFICATION**